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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 THE ESTATE OF DECEDENT WITTNEY
16 PAIGE BECKSTEAD; KARIN HEITZ, an
individual/heir,

17 Plaintiff,

18 vs.

19 FCA US LLC, a Foreign Limited-Liability
20 Company, d/b/a JEEP; LAS VEGAS-J, LLC., a
Domestic Limited-Liability Company d/b/a JEEP
21 ONLY; DOES 1 through 20, inclusive; and ROE
22 ENTITIES 1 through 20, inclusive,

23 Defendants.

CASE NO.: 2:23-cv-01755-JAD-MDC

24 **STIPULATION AND ORDER TO CONTINUE DISCOVERY DEADLINES**
25 ***(Second Request)***
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1 Plaintiffs THE ESTATE OF DECEDENT WITTNEY PAIGE BECKSTEAD and KARIN HEITZ,
2 through their counsel The Cottle Firm, Defendant FCA US LLC (hereinafter "FCA US"),¹ through their
3 counsel Melissa P. Wilner, Esq., of Klein Thomas Lee & Fresard, and Mario D. Valencia, Esq., and
4 Defendant LAS VEGAS-J, LLC d/b/a JEEP ONLY, through their counsel Griffith H. Hayes, Esq., of
5 Tyson & Mendes, LLP., hereby stipulate and agree, pursuant to LR 26-3, to vacate and extend the current
6 discovery deadlines set forth in the Order filed on June 20, 2024 (ECF No. 28).

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8 **A. DISCOVERY COMPLETED TO DATE:**

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10 1. Plaintiffs served their Initial List of Witnesses and Documents Pursuant to FRCP 26(a)(1) on
11 December 6, 2023.
- 12 2. Defendant FCA US LLC served its Initial Disclosures Pursuant to Rule 26(a)(1) on December 19,
13 2023.
- 14 3. Defendant Las Vegas-J, LLC d/b/a Jeep Only served their Initial List of Witnesses and Documents
15 Pursuant to FRC 26(a)(1) on December 20, 2023.
- 16 4. Plaintiffs served their First Set of Requests for Admissions to Defendant FCA US LLC d/b/a Jeep
17 on February 9, 2024.
- 18 5. Plaintiffs served their First Set of Requests for Production of Documents to Defendant FCA US
19 LLC d/b/a Jeep on February 9, 2024.
- 20 6. Plaintiffs served their First Set of Interrogatories to Defendant FCA US LLC d/b/a Jeep on
21 February 9, 2024.
- 22 7. Plaintiffs served their First Set of Requests for Admissions to Defendant Las Vegas-J, LLC d/b/a
23 Jeep Only on February 9, 2024.
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¹ FCA US is incorrectly named in the caption as "FCA US LLC d/b/a Jeep."

- 1 8. Plaintiffs served their First Set of Requests for Production of Documents to Defendant Las Vegas-
2 J, LLC d/b/a Jeep Only on February 9, 2024.
- 3 9. Plaintiffs served their First Set of Interrogatories to Defendant Las Vegas-J, LLC d/b/a Jeep Only
4 on February 9, 2024.
- 5 10. Defendant FCA US LLC served its First Supplemental Disclosure Pursuant to Rule 26(a)(1) on
6 February 28, 2024.
- 7 11. Defendant FCA US LLC served its Responses to Plaintiff's First Set of Requests for Admissions
8 on March 11, 2024.
- 9 12. Defendant FCA US LLC served its Responses to Plaintiff's First Set of Requests for Production on
10 March 11, 2024.
- 11 13. Defendant FCA US LLC served its Responses to Plaintiff's First Set of Interrogatories on March
12 11, 2024.
- 13 14. Defendant Las Vegas-J, LLC d/b/a Jeep Only served their First Supplement to Initial Disclosures
14 of Witnesses and Documents Pursuant to FRCP 26(a)(1) on April 5, 2024.
- 15 15. Defendant Las Vegas-J LLC served their Responses to Plaintiff's First Set of Interrogatories on
16 April 5, 2024.
- 17 16. Defendant Las Vegas-J LLC served their Responses to Plaintiff's First Set of Requests for
18 Admissions on April 5, 2024.
- 19 17. Defendant Las Vegas-J LLC served their Responses to Plaintiff's First Set of Requests for
20 Production of Documents on April 5, 2024.
- 21 18. Defendant FCA US LLC served its First Set of Requests for Production of Documents to Plaintiffs
22 on April 24, 2024.
- 23 19. Defendant FCA US LLC served its First Set of Interrogatories to Plaintiffs on April 24, 2024.
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20. Defendant FCA US LLC served its First Set of Requests for Admissions to Plaintiffs on April 24, 2024.
21. Defendant FCA US LLC served its Second Supplemental Disclosure Pursuant to Rule 26(a)(1) on May 7, 2024.
22. Plaintiffs served their Responses to Defendant FCA US LLC's First Set of Requests for Admission on May 22, 2024.
23. Plaintiffs served their Responses to Defendant FCA US LLC's First Set of Interrogatories on June 7, 2024.
24. Plaintiffs served their Responses to Defendant FCA US LLC's First Set of Requests for Production of Documents on June 7, 2024.
25. Plaintiffs served their Second Supplemental Disclosure Pursuant to Rule 26(a)(1) on June 7, 2024.
26. Plaintiffs served their Third Supplemental Disclosure Pursuant to Rule 26(a)(1) on October 1, 2024.
27. Plaintiffs took the deposition of witness Rick Elliott on October 4, 2024.
28. An inspection of subject vehicle was completed on October 16, 2024.
29. Plaintiffs served their Fourth Supplemental Disclosure Pursuant to Rule 26(a)(1) on December 2, 2024.
30. Plaintiffs served their Second Set of Requests for Production of Documents to Defendant FCA US LLC on December 20, 2024.
31. Plaintiffs served their Second Set of Interrogatories to Defendant FCA US LLC on December 20, 2024.
32. Plaintiffs served their Second Set of Requests for Production of Documents to Defendant LAS VEGAS-J, LLC on December 20, 2024.

33. Plaintiffs completed preliminary/draft expert report (seat belt) from Steve Syson. (Not disclosed)

34. Plaintiffs completed preliminary/draft expert report (crash worthiness) from Chris Caruso. (Not disclosed)

35. Plaintiffs completed preliminary/draft expert report (lift kit) from Alex Scaler. (Not disclosed)

36. Plaintiffs completed preliminary/draft expert report (accident reconstruction) from Dr. Jacqueline Lewis and Alex Scaler. (Not disclosed)

B. DESCRIPTION OF DISCOVERY THAT REMAINS TO BE COMPLETED:

1. Plaintiffs intend to take the deposition of Defendants Fed. R. Civ. P. 30(b)(6) witnesses.
2. Defendants intend to take the deposition of Plaintiff, Karen Heitz (mother of decedent).
3. The parties intend to take the deposition of multiple first responders.
4. The parties intend to take the deposition of two additional witnesses to the subject accident.
5. The parties intend to take expert depositions.

C. REASON WHY DISCOVERY WAS NOT COMPLETED:

This is a complex product defect litigation with several potential causative issues, including the seatbelt functionality, design issues related to same, the installation of an after-market lift kit, the overall crashworthiness of the subject vehicle, and the survivability of the deceased predicated on Plaintiffs' assertions to same had the vehicle functioned properly.

The parties have had significant difficulty getting into the salvage yard to access the vehicle for expert inspections. This was due in large part to miscommunications between Co-Parts, USAA Insurance, the vehicle insurer and TD Autofinance, the title holder for the vehicle. These issues were beyond the parties' control but were ultimately resolved and full inspections of the vehicle were obtained, but not until October and November of 2024. Additionally, the parties had difficulty obtaining the complete coroner's file and California Highway Patrol (CHP) investigation, which were crucial to the forensic

experts' review of the cause of death and mechanisms of injuries to the decedent Wittney Paige Beckstead. Final reports were obtained in December of 2024 and the parties' experts are still in the process of reviewing the information for their reports.

All parties have completed their expert vehicle inspections and 3-D scans of the vehicle, but based on the examination of the data, all parties' experts require additional time and lab testing to complete an accurate analysis of the crash. Plaintiffs' liability experts require additional time to compare their data obtained from the vehicle inspections and written discovery with exemplar testing and analysis. Plaintiffs' medical experts also need additional time to complete the review of the forensic records for the final reports as to cause of death and viability of survival. Plaintiffs' experts have stated that they can complete all of this work within ninety (90) days.

The parties are extending discovery based on additional testing needing to be completed by all experts, the testing may include an inspection of an exemplar Jeep, an inspection of the road/highway where the accident occurred and further testing that the experts will need to formulate their opinions. The parties submit these reasons constitute good cause under LR 26-3 for the extension.

The parties do not bring this stipulation for purpose of delay.

D. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY:

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|----|--|----------------------------------|
| 1. | Discovery Cut-Off Date: | <u>August 15, 2025</u> |
| 2. | Amending the Pleadings and Adding parties: | <u>Closed</u> |
| 3. | FRCP 26(a)(2) Disclosure of Initial Experts: | |
| | a. Plaintiffs' Initial Expert Disclosures: | <u>April 18, 2025</u> |
| | b. Defendants' Initial Expert Disclosures: | <u>May 30, 2025</u> |
| 4. | FRCP 26(a)(2) Disclosures of Rebuttal Experts: | <u>June 27, 2025</u> |
| 4. | Dispositive Motions: | <u>September 15, 2025</u> |

5. Pre-Trial Order:

October 13, 2025

This Stipulation is made in good faith and not for the purpose of delay.

DATED this 9th day of January, 2025.

THE COTTLE FIRM

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Order:

The stipulation is denied without prejudice.
The parties may submit an amended stipulation that includes the current the current discovery and pre-trial deadlines.

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED: 1-10-25